

CITY OF McMinnville
MINUTES OF DINNER MEETING
of the McMinnville City Council
Held at the Kent L. Taylor Civic Hall on Gormley Plaza
McMinnville, Oregon

Tuesday, June 27, 2017 at 6:00 p.m.

Presiding: Kevin Jeffries, Councilor

Recording: Melissa Grace, City Recorder

| | | |
|-------------|----------------|---------------------------------|
| Councilors: | <u>Present</u> | <u>Excused Absence</u> |
| | Adam Garvin | Remy Drabkin |
| | Alan Ruden | Scott Hill, Mayor |
| | Wendy Stassens | Kellie Menke, Council President |

Also present were City Manager Jeff Towery, City Attorney David Koch, Finance Director Marcia Baragary, Planning Director Heather Richards, Fire Chief Rich Leipfert, and Community Development Director Mike Bisset.

DINNER

CALL TO ORDER: Mayor Hill called the Dinner Meeting to order at 6:21 p.m. and welcomed all in attendance.

DISCUSSION:

Mayor Hill asked for a volunteer to lead the Pledge of Allegiance and Councilor Ruden volunteered.

It was noted that a proclamation reading for “Fill the Boot” would be presented this evening.

The agenda for the evening was reviewed.

ADJOURNMENT: The Dinner Meeting adjourned at 6:45 p.m.

s/s Melissa Grace
Melissa Grace, City Recorder

CITY OF McMinnville
MINUTES OF REGULAR MEETING
of the McMinnville City Council
Held at the Kent L. Taylor Civic Hall on Gormley Plaza
McMinnville, Oregon

Tuesday, June 27, 2017, at 7:00 p.m.

Presiding: Kevin Jeffries, Councilor

Recording: Melissa Grace, City Recorder

| | | |
|-------------|----------------|---------------------------------|
| Councilors: | <u>Present</u> | <u>Excused Absence</u> |
| | Adam Garvin | Remy Drabkin |
| | Alan Ruden | Scott Hill, Mayor |
| | Wendy Stassens | Kellie Menke, Council President |

Also present were City Manager Jeff Towery, City Attorney David Koch, Community Development Director Mike Bisset, Police Chief Matt Scales, Planning Director Heather Richards, Fire Chief Rich Leipfert, Information Systems Director Scott Burke, Associate Planner Chuck Darnell and Dave Adams of KLYC radio.

AGENDA ITEM

1. CALL TO ORDER: Councilor Jeffries called the meeting to order at 7:00 p.m. and welcomed all in attendance.
2. PLEDGE OF ALLEGIANCE: Councilor Ruden led the Pledge of Allegiance.
3. INVITATION TO CITIZENS FOR PUBLIC COMMENT: Councilor Jeffries invited the public to comment.

Mark Davis, 632 SE Washington Street, commented on the Recology rates and garbage collection. He noted that he would like for more opportunity for public discussion.

Dave Adams, 1100 NE Lafayette Avenue, shared that Operation Eagles Wings, are starting a petition drive to acquire a medal of honor for Leonard DeWitt. He asked that the Council show their support through a resolution.

ADD ITEM

PROCLAMATION

Councilor Jeffries presented a Proclamation to McMinnville Fire Department declaring July 7th and 8th as McMinnville Fire Department “Fill The Boot” Day.

4. PUBLIC HEARING

4.a. Proposed supplemental budget for the fiscal year ending June 30, 2017 (related to the Airport Maintenance Fund).

Councilor Jeffries opened the public hearing at 7:15 p.m.

There were no public comments received.

Councilor Jeffries closed the public hearing at 7:15 p.m.

5. PRESENTATION

5a. Receive Report and Recommendation from Gary Eastlund, Hagan Hamilton to approve the 2017 – 2018 Property, Liability, Workers Compensation, and Auto Insurance Coverages.

Gary Eastland was not present. It was noted that this item would be moved to the July 11, 2017 meeting.

6. CONSENT AGENDA

6.a. Consider the Minutes of the October 13, 2015 Meeting.

6.b. Approve Recology Rates.

6.c. Liquor License Application – Open Claim Vineyard LLC (*2803 NE Orchard Avenue*)

Councilor Stassens MOVED to adopt the consent agenda; SECONDED by Councilor Garvin. Motion PASSED unanimously.

7. RESOLUTIONS

7.a. **Resolution No. 2017-41:** A Resolution increasing the Planning permitting fees by approximately 1.7% for fiscal year 2017-2018, effective July 1, 2017.

Planning Director Richards explained that the rate increases are based on a 1.7% increase. She noted that the Portland CPE-W index was used to determine the increase.

Councilor Ruden MOVED to adopt Resolution No. 2017-41 increasing the Planning permitting fees by approximately 1.7% for fiscal year 2017-2018, effective July 1, 2017; SECONDED by Councilor Stassens. Motion PASSED unanimously.

- 7.b. **Resolution No. 2017-42:** A Resolution adopting a supplemental budget for fiscal year 2016-2017 and making supplemental appropriations.

Finance Director Baragary explained that a public hearing was not required for the increase in the telecommunications fund because the expenditures do not exceed 10 percent of the total expenditures in the adopted budget.

She noted that the total estimated cost of the relocation of Federal Aviation Administration facilities impacted by the City's rehabilitation of Runway 4-22 is \$541,072.00. This was more than the 10 percent of the total expenditures and therefore a public hearing was required. The public hearing was noticed in the newspaper and held this evening.

Councilor Garvin MOVED to adopt Resolution No. 2017-42 adopting a supplemental budget for fiscal year 2016-2017 and making supplemental appropriations; SECONDED by Councilor Stassens. Motion PASSED unanimously.

- 7.c. **Resolution No. 2017-43:** A Resolution making a budgetary transfer of appropriation authority for fiscal year 2016-2017.

Finance Director Baragary stated that when the fiscal year 2016-2017 budget was adopted the total appropriations for Emergency Medical Services in the Ambulance Fund were \$4,145,455. She explained the unanticipated circumstances resulting in the need to transfer \$65,000 in appropriation authority from the Ambulance Fund contingency appropriation to the Ambulance Fund Personnel Services appropriation category.

Councilor Stassens MOVED to adopt Resolution No. 2017-43 making a budgetary transfer of appropriation authority for fiscal year 2016-2017; SECONDED by Councilor Garvin. Motion PASSED unanimously.

- 7.d. **Resolution No. 2017-44:** A Resolution providing for and approving a form of contract by and between the City of McMinnville, Oregon and the McMinnville Rural Fire Protection District (MRFPD).

Fire Chief Leipfert stated that the contract with MRFPD includes a five percent increase from last year's contract. In addition, the rural district has budgeted to fund the replacement of a firefighting skid unit for one of the City's brush trucks.

Councilor Garvin MOVED to adopt Resolution No. 2017-44 providing for and approving a form of contract by and between the City of McMinnville, Oregon and the McMinnville Rural Fire Protection District; SECONDED by Councilor Stassens. Motion PASSED unanimously.

- 7.e. **Resolution No. 2017-45:** A Resolution adopting a new fee schedule for ambulance services provided by the City of McMinnville and repealing Resolution No. 2016-35.

Fire Chief Leipfert stated that staff is recommending a 2.2% increase to the ambulance fee schedule in order to assist in offsetting the general fund support for ambulance service.

Discussion ensued regarding ambulance rate recovery from Medicare and Medicaid.

Councilor Stassens MOVED to adopt Resolution No. 2017-45 adopting a new fee schedule for ambulance services provided by the City of McMinnville and repealing Resolution No. 2016-35; SECONDED by Councilor Ruden. Motion PASSED unanimously.

- 7.f. **Resolution No. 2017-46:** A Resolution Declaring the City's election to receive state revenues.

Finance Director Baragary stated that the Resolution allows the City to receive certain state shared revenues. She noted that all of the required public hearings were held and laws were followed as outlined in Oregon Revised Statutes 221.770 and 471.810.

Councilor Stassens MOVED to adopt Resolution No. 2017-46 declaring the City's election to receive state revenues; SECONDED by Councilor Garvin. Motion PASSED unanimously.

- 7.g. **Resolution No. 2017-47:** A Resolution Extending the City of McMinnville's workers compensation coverage to the City of McMinnville volunteers.

Finance Director Baragary noted that the city must submit a resolution to the insurer declaring its intent to cover volunteer personnel under the workers' compensation insurance plan.

Discussion ensued regarding the number of volunteers covered under the coverage.

Councilor Stassens MOVED to adopt Resolution No. 2017-47 extending the City of McMinnville's workers compensation coverage to the City of McMinnville volunteers; SECONDED by Councilor Ruden. Motion PASSED unanimously.

- 7.h. **Resolution No. 2017-48:** A Resolution certifying provision of municipal services by the City of McMinnville as required by ORS 221.760.

Finance Director Baragary that ORS 221.760 (1) designates certain prerequisites for cities in a county of over 100,000 population to receive State shared revenues from cigarette, gas and liquor taxes. She noted that the resolution certifies that the City meets the prerequisites for receiving cigarette, gas and liquor taxes.

Councilor Ruden MOVED to adopt Resolution No. 2017-48 certifying provision of municipal services by the City of McMinnville as required by ORS 221.760; SECONDED by Councilor Garvin. Motion PASSED unanimously.

- 7.i. **Resolution No. 2017-49:** A Resolution adopting the budget for the fiscal year beginning July 1, 2017; making the appropriations; imposing the property taxes; and categorizing the property taxes.

Finance Director Baragary stated that the City's Budget Committee met on May 17, 2017 and approved the Budget as presented by the Budget Officer.

Ms. Baragary outlined some changes made to the budget as allowed under ORS 294.456. She noted that four projects from 2016-2017 will be carried forward to 2017-2018. The projects relate to the following funds: Airport Maintenance Fund, Transportation Fund, Park Development Fund and Wastewater Capital Fund.

Ms. Baragary then reviewed increases in appropriations for 2017-2018 to the General Fund, Park and Recreation Department in the amount of \$11,000 for the possible replacement of a main water heater at the Community Center.

Councilor Stassens MOVED to adopt Resolution No. 2017-49 adopting the 2017-2018 budget in the total amount of \$114,773,667 for the fiscal year beginning July 1, 2017; to make the appropriations in the amount of \$77,684,600; to impose and categorize the City of McMinnville's permanent property tax rate of \$5.0200 per \$1,000 assessed value for general operations

and \$3,486,085 for debt service.; making the appropriations; SECONDED by Councilor Ruden. Motion PASSED unanimously.

- 7.j. **Resolution No. 2017-50:** A Resolution awarding the contract for the NW Hill Road Improvements Project, Project 2015-16.

Community Development Director Bisset stated that the NW Hill Road Project is the largest of the five Capital Improvement Projects identified within the Transportation Bond approved by voters in 2014. The work on the project will begin this summer and is expected to be completed by October 31, 2018. Mr. Bisset displayed a vicinity map and aerial view of the work area.

Mr. Bisset stated that on Thursday June 15th seven bids were received, opened and public read for the project. Pacific Excavation, Inc. provided a bid of \$6,975,000.00 which was deemed to be the lowest responsible and responsive bid.

Councilor Stassens MOVED to adopt Resolution No. 2017-50 awarding the contract for the NW Hill Road Improvements Project, Project 2015-16; making the appropriations; SECONDED by Councilor Garvin. Motion PASSED unanimously.

- 7.k. **Resolution No. 2017-51:** A Resolution ratifying an amendment to the collective bargaining agreement between the City of McMinnville and the International Association of Fire Fighters, Local 3099 (IAFF) for Part Time plus employees to be represented by the bargaining group for the period starting July 1, 2017.

Fire Chief Leipfert explained that IAFF Local 3099 and the City agreed to move the Part Time Plus positions into the bargaining unit. He noted the financial implications as well as the flexibility of scheduling that the change brings.

Councilor Garvin MOVED to adopt Resolution No. 2017-51 ratifying an amendment to the collective bargaining agreement between the City of McMinnville and the International Association of Fire Fighters, Local 3099 (IAFF) for Part Time plus employees to be represented by the bargaining group for the period starting July 1, 2017; SECONDED by Councilor Stassens. Motion PASSED unanimously.

- 8. ORDINANCES

- 8.a. **Second Reading** on Ordinance No. 5023: An Ordinance Amending The McMinnville Zoning Ordinance Specific To Section 17.53.101(L) (Land

Division Standards – Street Grades And Curves) To Allow Local Street Grades Up To And Including Fifteen (15) Percent.

City Attorney Koch read by title only Ordinance No. 5023 Amending The McMinnville Zoning Ordinance Specific To Section 17.53.101(L) (Land Division Standards – Street Grades And Curves) To Allow Local Street Grades Up To And Including Fifteen (15) Percent. (No Councilor present requested that the Ordinance be read in full.)

Planning Director Richards followed up on previous concerns of the Council related to street grade and fire protection service.

Councilor Stassens MOVED to approve Ordinance No. 5023 Amending The McMinnville Zoning Ordinance Specific To Section 17.53.101(L) (Land Division Standards – Street Grades And Curves) To Allow Local Street Grades Up To And Including Fifteen (15) Percent; SECONDED by Councilor Ruden. Motion PASSED 3-1. AYES: Garvin, Stassens, Ruden. NAY: Jeffries.

- 8.b. **Second Reading** on Ordinance No. 5024: An Ordinance Amending Planned Development Ordinance No. 4868 To Allow Exceptions To Current Street Grade, Block Length, Block Circumference And Lot Depth To Width Standards And To Amend An Approved Residential Subdivision And Phasing Plan On Approximately 132 Acres Of Land.

City Attorney Koch read by title only Ordinance No. 5024 Amending Planned Development Ordinance No. 4868 To Allow Exceptions To Current Street Grade, Block Length, Block Circumference And Lot Depth To Width Standards And To Amend An Approved Residential Subdivision And Phasing Plan On Approximately 132 Acres Of Land. (No Councilor present requested that the Ordinance be read in full.)

Councilor Ruden MOVED to approve Ordinance No. 5024 Amending Planned Development Ordinance No. 4868 To Allow Exceptions To Current Street Grade, Block Length, Block Circumference And Lot Depth To Width Standards And To Amend An Approved Residential Subdivision And Phasing Plan On Approximately 132 Acres Of Land; SECONDED by Councilor Stassens. Motion PASSED 3-1. AYES: Garvin, Stassens, Ruden. NAY: Jeffries.

- 8.c. First Reading with possible Second Reading of Ordinance No. 5027: An Ordinance Amending The McMinnville Zoning Ordinance Specific To Chapter 17.57 (Landscaping), Chapter 17.58 (Trees), And Chapter 17.06 (Definitions).

Associate Planner Darnell stated that the Landscape Review Committee reviewed Chapters 17.57 and 17.58 of the Zoning Ordinance related to landscaping and trees. He noted that a public hearing was held and the Landscape Review Committee reviewed the testimony received and the proposed amendments. The Planning Commission then unanimously recommended approval of the proposed amendments to Chapter 17.57 and Chapter 17.58.

Mr. Darnell reviewed the updates to Chapter 17.57 and Chapter 17.58 of the Zoning Ordinance.

Discussion ensued regarding maintenance, enforcement of the ordinance and the communication plan.

No Councilor present requested that the Ordinance be read in full.

City Attorney Koch read by title only Ordinance No. 5027 Amending The McMinnville Zoning Ordinance Specific To Chapter 17.57 (Landscaping), Chapter 17.58 (Trees), And Chapter 17.06 (Definitions).

Councilor Garvin MOVED to pass Ordinance No. 5027 to a second reading; SECONDED by Councilor Stassens. Motion PASSED unanimously.

City Attorney Koch read by title only for a second time Ordinance No. 5027.

Councilor Stassens MOVED to approve Ordinance No. 5027 Amending The McMinnville Zoning Ordinance Specific To Chapter 17.57 (Landscaping), Chapter 17.58 (Trees), And Chapter 17.06 (Definitions); SECONDED by Councilor Garvin. Ordinance No. 5027 PASSED by a unanimous roll-call vote.

8.d.

First Reading with possible Second Reading of Ordinance No. 5028: An Ordinance amending the McMinnville City Code, Chapter 2.33, specific to the Landscape Review Committee.

Planning Director Richards explained that the amendments update the enabling language for the Landscape Review Committee and moves the information about the committee to Chapter 2 of the City Code where other commissions and committees are found.

No Councilor present requested that the Ordinance be read in full.

City Attorney Koch read by title only Ordinance No. 5028 amending the McMinnville City Code, Chapter 2.33, specific to the Landscape Review Committee.

Councilor Stassens MOVED to pass Ordinance No. 5028 to a second reading; SECONDED by Councilor Garvin. Motion PASSED unanimously.

City Attorney Koch read by title only for a second time Ordinance No. 5028.

Councilor Stassens MOVED to approve Ordinance No. 5028 amending the McMinnville City Code, Chapter 2.33, specific to the Landscape Review Committee; SECONDED by Councilor Ruden. Ordinance No. 5028 PASSED by a unanimous roll-call vote.

8.e.

First Reading with possible Second Reading of Ordinance No. 5029: An Ordinance repealing Ordinance 4267 and granting a non-exclusive gas utility franchise to Northwest Natural Gas Company.

City Attorney Koch noted that the City Council adopted an Ordinance on October 4th, 1983 granting Northwest Natural Gas Company a 20-year non-exclusive Gas Utility Franchise Agreement. Mr. Koch noted that the agreement expired in 2003. He stated that staff have been working with Northwest Natural Gas on revision to the terms and conditions, including an increase in the franchise fee charged to the Franchisee. Mr. Koch stated that staff recommends an increase in the Franchise Fee to the rate of 5% which is in line with 75% of 20 of the surrounding communities.

No Councilor present requested that the Ordinance be read in full.

Councilor Stassens MOVED to pass Ordinance No. 5029 to a second reading; SECONDED by Councilor Garvin. Motion PASSED unanimously.

City Attorney Koch read by title only Ordinance No. 5029 repealing Ordinance 4267 and granting a non-exclusive gas utility franchise to Northwest Natural Gas Company.

Councilor Garvin MOVED to approve Ordinance No. 5029 repealing Ordinance 4267 and granting a non-exclusive gas utility franchise to Northwest Natural Gas Company; SECONDED by Councilor Stassens. Ordinance No. 5029 PASSED by a unanimous roll-call vote.

9.

ADVICE/ INFORMATION ITEMS

9. a.

Reports from Councilors on Committee and Board Assignments

Councilor Ruden noted that the Affordable Housing Task Force and the Airport Commission are meeting this week.

Councilor Jeffries shared that the Council of Governments approved their budget.

9.b. Department Head Reports

Chief Leipfert shared that a Deputy Fire Marshal has been made a conditional offer of employment.

Chief Scales stated that the Police Department raised \$3,000 for Special Olympics of Yamhill County. He also commented on the recruits in training.

9.c. Cash & Investment Report

9.d. Building Division Report

10. ADJOURNMENT: Councilor Jeffries adjourned the Regular City Council Meeting at 8:26 p.m.

s/s Melissa Grace

Melissa Grace, City Recorder